## REMARKS

Claims 1-37 are currently pending in the subject application and are presently under consideration. Claims 1, 16, 23 and 33 have been amended as shown on pages 2-7 of the Reply. Claim 11 has been cancelled.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

## I. Rejection of Claims 1-22 and 33-37 Under 35 U.S.C. §101

Claims 1-22 and 33-37 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Withdrawal of this rejection is requested for the following reasons. Independent claims 1, 16 and 33 have been amended herein. In view of the amendments to claims 1, 16 and 23 it is requested that this rejection be withdrawn.

## II. Rejection of Claims 1-37 Under 35 U.S.C. §102(b)

Claims 1-37 stand rejected under 35 U.S.C. §102(b) as being anticipated by Conklin (US 6,415,283). Withdrawal of this rejection is requested for at least the following reasons. The cited reference fails to teach or suggest all aspects set forth in the subject claims.

> A single prior art reference anticipates a patent claim only if it ***expressly or inherently describes each and every limitation set forth in the patent claim***. *Trintec Industries, Inc. v. Top-U.S.A. Corp.,* 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California,* 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The ***identical invention must be shown in as complete detail as is contained in the ... claim***. *Richardson v. Suzuki Motor Co.,* 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

The claimed invention relates to architecture for generating meaningful names for a flattened data structure. By observing user activity associated with a hierarchical data structure, the system generates meaningful names that help to simplify browsing of computer network shares. In particular, amended independent claim 1 recites *a computer implemented system that facilitates the generation of meaningful description for a flattened data structure, comprising a data structure having a plurality of data nodes,* ***a valuation component that assigns a valuation***

***to one or more of the data nodes in accordance with a predetermined metric, the metric is at least one time the node was accessed, that the node was modified, when the node was modified, that the node was copied, when the node was copied, an access frequency, or a number of unique users who have accessed the node*** *and* ***a description component that generates a description that represents at least one of the one or more data nodes that is selected according to the metric.*** Independent claims 16, 23 and 33 recite similar limitations. Conklin fails to teach or suggest such novel features recited in the subject claims.

Conklin discloses a cluster processing systems that determines at least one focal node on a hierarchically arranged tree structure of nodes based on attributes of a data set. At page 4 of the Office Action, the Examiner contends that Conklin teaches a valuation component that assigns a valuation to one or more of the data nodes in accordance with a predetermined metric and a description component that generates a description that represents at least one of the one or more data nodes that is selected according to the metric. Applicant's representative disagrees. In applicant's subject invention, the valuation component assigns a valuation to each node of the data hierarchy. This valuation indicia is derived in accordance with a number of different predetermined criteria, which can include the time that the node was created, the time accessed, the time modified, the time in which a copy process was performed for data associated with that node, the frequency in which that node is accessed, the number of unique users and the type of data associated with that node. At the cited portions, Conklin teaches a data set that includes a plurality of attributes and associated weight values being input into a cluster processing system. The system then uses these weight values to calculate a raw weight, and utilizes this raw weight to select one or more data nodes. However, Conklin is silent regarding ***a valuation component that assigns a valuation to one or more of the data nodes in accordance with a predetermined metric, the metric is at least one of time the node was accessed, that the node was modified, when the node was modified, that the node was copied, when the node was copied, an access frequency, or a number of unique users who have accessed the node*** and also does not teach ***a description component that generates a description representing meaningful names to the selected nodes*** as recited by applicant's subject claims. Accordingly, it is requested that this rejection with respect to independent claims 1, 16, 23 and 33 (and the claims that depend from) should be withdrawn.

## CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP639US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

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